

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

SEVENTH DAY'S PROCEEDINGS

Thirty-second Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, March 16, 2004

The House of Representatives was called to order at 5:00 P.M.,
by the Honorable Joe R. Salter, Speaker of the House of
Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their
names:

PRESENT

Mr. Speaker	Flavin	Odinet
Alario	Frith	Pierre
Alexander	Futrell	Pinac
Ansardi	Gallot	Pitre
Arnold	Geymann	Powell, M.
Badon	Glover	Powell, T.
Baldone	Gray	Quezaire
Baudoin	Guillory, E.	Richmond
Baylor	Guillory, M.	Ritchie
Beard	Hammett	Romero
Bowler	Heaton	Scalise
Broome	Hebert	Schneider
Bruce	Hill	Shepherd
Bruneau	Honey	Smiley
Burns	Hopkins	Smith, G.—56th
Burrell	Hudson	Smith, J.D.—50th
Carter, K.	Hunter	Smith, J.H.—8th
Carter, R.	Hutter	Smith, J.R.—30th
Cazayoux	Jackson	St. Germain
Crane	Jefferson	Strain
Crowe	Johns	Thompson
Curtis	Katz	Toomy
Damico	Kenney	Townsend
Daniel	LaBruzzo	Trahan
Dartez	LaFleur	Triche
DeWitt	Lambert	Tucker
Doerge	Lancaster	Waddell
Dorsey	Marchand	Walker
Dove	Martiny	Walsworth

Downs
Durand
Erdey
Fannin
Farrar
Faucheux
Total—103

McDonald
McVea
Montgomery
Morrell
Morrish
Murray

White
Winston
Wooton
Wright

ABSENT

Kennard
Total—1

The Speaker announced that there were 103 members present
and a quorum.

Prayer

Prayer was offered by Rep. Hill.

Pledge of Allegiance

Rep. Mike Powell led the House in reciting the Pledge of
Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Trahan, the reading of the Journal was
dispensed with.

On motion of Rep. Flavin, and under a suspension of the rules,
the Journal of March 10, 2004, was corrected to reflect him as voting
nay on final adoption of House Concurrent Resolution No. 11.

On motion of Rep. Flavin, the Journal of March 12, 2004, was
adopted.

**Petitions, Memorials and
Communications**

The following petitions, memorials, and communications were
received and read:

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

March 16, 2004

To the Honorable Speaker and Members of the House of
Representatives:

I am directed to inform your honorable body that the Senate has
concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 11
Returned with amendments.

Respectfully submitted,

GLENN KOEPP
Acting Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

March 15, 2004

To the Honorable Speaker and Members of the House of
Representatives:

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I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 8 and 9

Respectfully submitted,

GLENN KOEPP
Acting Secretary of the Senate

Suspension of the Rules

On motion of Rep. Jackson, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 8—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To recognize and commend the Southern University women's basketball team for an outstanding season and for capturing the Southwestern Athletic Conference championship.

Read by title.

On motion of Rep. Jackson, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 9—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To recognize and commend the Louisiana State University Lady Tigers basketball team on an outstanding season and for receiving a bid to the 2004 NCAA Division I Women's Basketball Tournament.

Read by title.

On motion of Rep. Jackson, and under a suspension of the rules, the resolution was concurred in.

Message from the Senate

SENATE BILLS

March 16, 2004

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill No. 22

Respectfully submitted,

GLENN KOEPP
Acting Secretary of the Senate

Senate Bills and Joint Resolutions on Second Reading to be Referred

Rep. Walsworth asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just received from the Senate with a view of advancing same, which were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 22—

BY SENATORS CAIN, MICHOT, SCHEDLER, ROMERO, FONTENOT,
ADLEY, DUPLESSIS, IRONS, MALONE AND MOUNT
AN ACT

To enact a special condition on the effectiveness of certain laws, relative to Subsections (F), (G), (H), (I), (J), (K), (L), (M), (N), (O), (P) and (Q) of Section 302, Section 305.50, or Paragraph (1) of Subsection O of Section 331 of Title 47 of the Louisiana Revised Statutes of 1950, which repeal or suspend state sales tax exemptions, and which such repeal or suspension will expire in 2004; to provide that the repeal or suspension of such exemptions shall become effective if and only if certain provisions implementing an individual income tax credit for individuals is enacted into law; and to provide for related matters.

Read by title.

Point of Order

Rep. Murray asked for a ruling from the Chair as to whether the object of the above bill is within the listing of objects contained in the governor's proclamation for this extraordinary session.

Ruling of the Chair

The Chair ruled that the object of the above bill was not within the listing of objects contained in the governor's proclamation for this extraordinary session.

The bill was returned to the calendar.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

Motion

On motion of Rep. Bruce, the Committee on Education was discharged from further consideration of House Concurrent Resolution No. 9.

HOUSE CONCURRENT RESOLUTION NO. 9—

BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To urge and request the boards of supervisors of the Louisiana State University System, the Southern University System, the University of Louisiana System, and the Louisiana Community and Technical College System to consider the implementation of tuition exemption programs for law enforcement officers and firefighters or the enhancement of any such programs at institutions under the supervision of each where such programs currently exist and to submit a written report on any actions taken in the consideration of such program implementation or enhancement to the House Committee on Appropriations and the Senate Committee on Revenue and Fiscal Affairs by not later than May 15, 2004.

Read by title.

On motion of Rep. Bruce, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Speaker Pro Tempore Broome in the Chair

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 14(A) and (B) of the Joint Rules of the Senate and House of Representatives, relative to the allocation and use of space in the Pentagon Barracks.

Read by title.

Rep. Salter sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter to Original Senate Concurrent Resolution No. 7 by Senator Hines

AMENDMENT NO. 1

On page 1, line 12, after "Representatives" and before "the second" delete "and" and insert a semicolon ";"

AMENDMENT NO. 2

On page 1, line 13, change "lower" to "first"

AMENDMENT NO. 3

On page 1, at the end of line 14, after "Senate" delete the period "." and insert a semicolon ";" and "and the second floor of the north one-half of Building C is allocated to the House of Representatives."

AMENDMENT NO. 4

On page 1, at the beginning of line 17, change ""lower" to "first"

AMENDMENT NO. 5

On page 2, line 1, change "upper" to "second"

On motion of Rep. Salter, the amendments were adopted.

On motion of Rep. Salter, and under a suspension of the rules, the resolution, as amended, was concurred in.

Speaker Salter in the Chair

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 1—

BY REPRESENTATIVES CROWE AND SCALISE

A RESOLUTION

To amend and readopt House Rule 6.1 of the Rules of Order of the House of Representatives, to provide for the appointment of the Select Committee on Technology; and to provide for related matters.

Read by title.

On motion of Rep. Crowe, the resolution was adopted.

HOUSE RESOLUTION NO. 3—

BY REPRESENTATIVE HUNTER

A RESOLUTION

To amend and readopt House Rule 6.3(A) of the Rules of Order of the House of Representatives to provide that chairmen of standing committees may serve on other standing committees.

Read by title.

Motion

On motion of Rep. Hunter, the resolution was returned to the calendar.

HOUSE CONCURRENT RESOLUTION NO. 7—

BY REPRESENTATIVES ST. GERMAIN, ARNOLD, BRUNEAU, GALLOT, LANCASTER, MONTGOMERY, MURRAY, SMILEY, AND ALARIO, ALEXANDER, ANSARDI, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GEYMANN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, MARCHAND, MARTINY, MCDONALD, MCVEA, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HAINKEL, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To designate the ground floor breezeway of the Louisiana State Capitol as Elias "Bo" Ackal, Jr. Hall.

Read by title.

On motion of Rep. St. Germain, the resolution was adopted.

Ordered to the Senate.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Regular Calendar

Suspension of the Rules

On motion of Rep. LaFleur, the rules were suspended in order to call House Bill No. 38 from the calendar at this time.

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HOUSE BILL NO. 38—

BY REPRESENTATIVES LAFLEUR AND FAUCHEUX
AN ACT

To amend and reenact R.S. 47:305.50(B), relative to the state sales and use tax; to exempt repairs of rail rolling stock manufactured in this state for use in interstate commerce from the tax, under

Called from the calendar.

Read by title.

Rep. McDonald, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald on behalf of the Legislative Bureau to Engrossed House Bill No. 38 by Representative LaFleur

AMENDMENT NO. 1

On page 1, line 18, following "stock" and before "both" delete "is"

AMENDMENT NO. 2

On page 1, line 19, following "(i)" and before "construction" change "Under" to "Is under"

On motion of Rep. McDonald, the amendments were adopted.

Rep. LaFleur sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFleur to Engrossed House Bill No. 38 by Representative LaFleur

AMENDMENT NO. 1

On page 1, line 3, after "stock" and before "for" change "manufactured in this state" to "when such rail rolling stock is"

AMENDMENT NO. 2

On page 1, at the beginning of line 9, delete "manufactured in this state"

AMENDMENT NO. 3

On page 1, at the end of line 15 after "stock" change "manufactured in this" to "when such rail rolling stock is"

AMENDMENT NO. 4

On page 1, at the beginning of line 16 delete "state"

On motion of Rep. LaFleur, the amendments were adopted.

Rep. LaFleur moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Faucheux	Murray
Alario	Flavin	Odinot
Alexander	Frith	Pierre
Ansardi	Futrell	Pinac
Arnold	Gallot	Pitre
Badon	Geymann	Powell, M.
Baldone	Glover	Powell, T.
Baudoin	Gray	Quezaire
Baylor	Guillory, E.	Richmond
Beard	Guillory, M.	Ritchie
Bowler	Hammett	Romero
Broome	Heaton	Scalise
Bruce	Hebert	Schneider
Bruneau	Hill	Shepherd
Burns	Honey	Smiley
Burrell	Hopkins	Smith, G.—56th
Carter, K.	Hudson	Smith, J.D.—50th
Carter, R.	Hunter	Smith, J.H.—8th
Cazayoux	Hutter	Smith, J.R.—30th
Crane	Jackson	St. Germain
Crowe	Jefferson	Strain
Curtis	Johns	Thompson
Damico	Katz	Toomy
Daniel	Kenney	Townsend
Dartez	LaBruzzo	Trahan
DeWitt	LaFleur	Triche
Doerge	Lambert	Tucker
Dorsey	Lancaster	Waddell
Dove	Marchand	Walker
Downs	Martiny	Walsworth
Durand	McDonald	White
Erdey	McVea	Winston
Fannin	Montgomery	Wooton
Farrar	Morrell	Wright

Total—102

NAYS

Total—0

ABSENT

Kennard	Morrish
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LaFleur moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Petitions, Memorials and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

HOUSE BILLS

March 16, 2004

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following House Bills:

House Bill No. 1
Returned without amendments.

Respectfully submitted,

GLENN KOEPP
Acting Secretary of the Senate

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 6—

BY REPRESENTATIVE GALLOT
A RESOLUTION

To commend the Lady Tigers of Simsboro High School upon winning the Class B state basketball championship.

Read by title.

On motion of Rep. Gallot, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 7—

BY REPRESENTATIVE MURRAY
A RESOLUTION

To express sincere and heartfelt condolences upon the death of Wilma Mary West Boykin.

Read by title.

On motion of Rep. Murray, and under a suspension of the rules, the resolution was adopted.

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVE KENNARD
A CONCURRENT RESOLUTION

To commend the Louisiana State University (LSU) track and field program upon winning the 2004 National Collegiate Athletic Association Indoor Track and Field Championships as the first school in the National Collegiate Athletic Association's (NCAA) history to sweep both the men's and women's national indoor titles.

Read by title.

On motion of Rep. John Smith, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 17—

BY REPRESENTATIVES HONEY AND QUEZAIRE
A CONCURRENT RESOLUTION

To commend and congratulate the 2003 Southern University Football Jaguars and Coach Pete Richardson upon winning the Southwest Athletic Conference championship and being named the 2003 national black college football champions.

Read by title.

On motion of Rep. Honey, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To memorialize the United States Congress to allocate federal funding for the creation of the National Recovery Training Institute in Louisiana.

Read by title.

On motion of Rep. Jack Smith, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

Privileged Report of the Committee on Enrollment

March 16, 2004

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 5—

BY REPRESENTATIVE GRAY
A RESOLUTION

To commend Dunbar's Creole Cooking in New Orleans upon the celebration of its twentieth anniversary.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Leave of Absence

Rep. Kennard - 1 day

Adjournment

On motion of Rep. Thompson, at 6:15 P.M., the House agreed to adjourn until Wednesday, March 17, 2004, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Wednesday, March 17, 2004.

ALFRED W. SPEER
Clerk of the House

